

THE ROLE OF PARLIAMENT AND PARLIAMENTARY COMMITTEES

WHAT IS IT?

Parliaments have a constitutional responsibility and opportunity to oversee how the SDGs are nationalized, implemented, and supported by the government.

Composed of representatives from different geographical areas or constituencies, [the parliament or legislature](#) tends to have [the following fundamental functions](#):

- Oversight of government bodies, especially the executive branch;
- Budgeting;
- Lawmaking; and
- Representing citizen interests.

In the context of the SDGs, [localization](#) can be added to the list.

- Localization here refers to how the SDGs are adapted to a country, e.g., in public resource distribution, and in seeking input from CSOs, communities, and local and regional governments.



As captured in a 2019 report by GOPAC, UNDP and the IDB:

“The laws needed to create the legal framework for the SDGs will have to be scrutinized and adopted by the parliament. The annual state budget that allocates funding for SDG implementation will need to be passed by the parliament. Parliament must also monitor implementation and parliamentarians must represent their constituents to promote citizen participation in the implementation of the SDGs.”

(Parliament’s Role in Implementing the Sustainable Development Goals; GOPAC, UNDP, IDB (2019))

Demonstrating growing awareness of its role, [many of the 2019 VNRs referred to parliamentary engagement and inclusion](#) through consultations, SDG coordination mechanisms, budget approval processes, awareness-raising, and oversight.

That said, [parliamentarians are still far from fully vested or integrated into the VNR process](#).

PARLIAMENTS, SDG 16, AND THE VNR: AN EXERCISE IN PROCESS AND OUTPUT

Parliament's role in strengthening SDG 16 implementation through VNR and post-VNR processes can be understood in two ways:

- As a reflection of its core functions (SDG 16.6 on institutions and SDG 16.7 on representative decision-making) and
- As related to how it advances SDG 16 related recommendations stemming from the VNR.

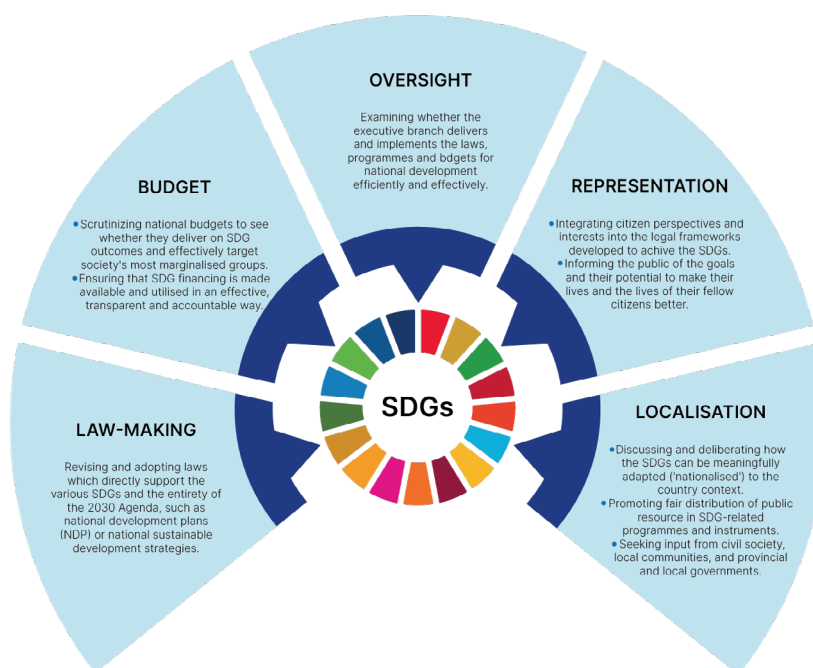
Well-functioning parliaments may also contribute to other **SDG 16 targets**, e.g. SDG 16.3 on the rule of law, SDG 16.5 on corruption, SDG 16.10 on public access to information, as well as **other SDGs**.

- On SDG 3 and Health, parliament can ensure that specific targets are included in an NDP, with the legislative, fiscal, representative and oversight action to support implementation.

WHY IS IT IMPORTANT?

While the executive branch often introduces laws and budgets and is responsible for their implementation, parliament is responsible for passing laws, reviewing fiscal plans, and ultimately monitoring government implementation efforts.

- Parliamentarians have a responsibility to support people-centered policies, legislation and budgets as representatives of their constituencies.



- Oversight, as a parliamentary function, is critical to assessing government action, impact, and process.



Bottom Line: An entirely government-driven VNR is at odds with transparent and accountable decision-making (SDG 16) and official VNR guidance.

However, parliaments face a host of **challenges** in acting upon their core functions, with potential impact on VNRs and SDG 16 follow-through. As noted by the Inter-Parliamentary Union and UNDP, these can include:

- Limited political space and party politics (e.g., MPs being both parliamentarians and party politicians);
- Lack of access to information (as held by government);
- Lack of freedom of expression;
- Limited human and financial resources;
- Limited power to follow-up on recommendations made to government;
- Competing demand and strained commitment on the part of some parliamentarians.

Many MPs also remain unaware of the VNRs, with the small group of those who are aware reporting that they are not meaningfully included, eg., through hearings, gov't-led consultations, or HLPF participation.

HOW IS IT APPROACHED?

This section details how parliament's often overlapping core functions – **oversight, budgeting, representation and law-making** – can and should be incorporated into VNR and post-VNR processes to advance SDG 16.

This includes from preparation to review, monitoring and implementation.

Given the complexity of governance and SDG implementation and monitoring, working with other oversight bodies, such as Supreme Audit Institutions and Anti-Corruption Commissions, as well as CSOs, has proven critical to effective oversight by parliaments and others.¹

Updated SDG 16 VNR Guidelines from the Global Alliance offers guidance on meaningful stakeholder engagement.

ON OVERSIGHT:

VNR ENGAGEMENT MECHANISMS:

In preparing the VNR, a study of the 2019 VNRs demonstrated that parliamentarians are increasingly engaged, including through:

- National SDG Councils, Committees or Working Groups, and
- Workshops, conferences, and roundtables.

PARLIAMENTARY COMMITTEES:

While different types of parliamentary committees can be used to exercise oversight, committee oversight generally enables parliament to:

- Examine critical issues including as related to the most vulnerable,
- Engage a wide cross-section of stakeholders in deliberations,
- Assess whether policies, laws, and programmes are effectively implemented – and, if not,
- Make recommendations.

This can translate into a parliamentary committee “reporting back” to parliament on the government's VNR performance.

¹ Among various other duties and responsibilities, for example, parliament should verify that the necessary data is collected, processed and shared and that the National Statistics Office has the resources and capacity to do so.

Case Study: Reporting Back on the VNR through Parliamentary Committee, UK

Following the UK's presentation of its first VNR at the 2019 HLPF, which focused in part on SDG 16, the International Development Committee (IDC) within the UK's House of Commons (one of the UK's two parliamentary houses) produced a report assessing the UK's performance, which was presented to Parliament and made available to the public. A few of the report findings, as paraphrased, are below:

- Stakeholder engagement was lacking and the process was rushed, despite having had adequate time. This prevented stakeholders from meaningfully engaging in, or influencing, the final VNR.
- Engagement recommended by the UN, such as consultations with human rights institutions, trades unions; business and industry; civil society; parliamentarians and UK academia – was late, ad hoc and superficial.
- The VNR itself was selective and partial, relying on cherry-picked data. It skirted discussion of some serious issues, for instance, food security, poverty trends and EU withdrawal.
- The message received is that the UK does not see the SDGs as integral to the government's overall agenda, further evidenced with DFID as lead, as opposed to the Cabinet Office, whose role is to "support collective government, helping to ensure the effective development, coordination and implementation of policy".

The IDC recommended that overall responsibility for the SDGs be given to the Cabinet Office, that the SDGs be built into cross-government planning, spending review and reporting processes, among other actions, and that the UK report again in 2022 through a more consultative process with more rigorous, data-driven and contextualized performance evaluation against SDG targets. The government responded in turn, "partially agreeing" with most IDC recommendations, and then strictly "disagreeing" or "agreeing" with a few, including around the need for stronger engagement going forward.

Take-aways and Going Forward: This case study highlights Parliament's oversight role and the importance of meaningful and institutionalized stakeholder engagement, early on and through substantive consultation.

* This case study draws from 2019 interviews with a member of the IDC and Bond, UK.

ON BUDGETS:

PARLIAMENTARY COMMITTEES, HEARINGS, PUBLIC RESOURCING, AND DRAFT VNRS:

- Parliaments have a role in the budget approval processes.
- To ensure a VNR has national ownership and includes a discussion of public resourcing, good practice would be to refer a draft VNR to the relevant parliamentary committee and have hearings on the draft VNR.
 - These hearings would also include submissions from civil society, with a report to the government before finalization.

ON REPRESENTATION:

Failure to engage on issues of public interest, such as the VNRs, can jeopardize parliamentary legitimacy as drawn from their status as elected representatives.

Citizen-parliamentary engagement following a VNR strengthens SDG 16 in practice. Options include:

- Local forums,
- Public consultations,
- Party consultations,
- CSO partnerships,
- Social media,
- Surveys,
- Meetings, and
- Participatory budgeting.

As part of a LNOB approach, the representation function should strive to ensure that under-represented groups from parliamentary constituencies are supported.

ON STATUTORY LAW-MAKING AND NDPS:

In terms of legislative authority, statutory law-making remains almost universally the preserve of parliament, with potentially significant impact in advancing VNR recommendations as linked to SDG 16 and national development or strategic plans.

While every legislature has its own procedures, parliament generally engages on three types of draft laws – **government sponsored, parliament drafted, and citizen-led** – all of which can advance SDG-related reform.

Case Study: Translating VNR Priorities into Legislative Action through Parliament, Timor-Leste

In line with its Strategic Development Plan (2011-2030), Timor-Leste's 2019 VNR prioritized, among other issues, strengthening the justice sector as a means of consolidating peace, enhancing accountability, and promoting the rule of law. As such, Timor-Leste's National Parliament is developing and implementing a legislative package on justice sector reform, geared to ensure access to effective and efficient justice and protection, particularly for women, children and vulnerable groups.

With UNDP's support and through engagement of key actors within the justice sector, including the government, the Office of the President, justice institutions, civil society and development partners, this National Parliament legislation package aims to produce laws on: judiciary organization; programming of training for the justice sector; the statute of judicial magistrates; the statute of public prosecutors; amendments to the statute public defenders; as well as reviews of the criminal code and the criminal procedural code. The reform package is based on findings from the Legislative Reform Commission and the Justice Sector Strategic Development Plan.² Five draft laws have been presented to the National Parliament with two more to be delivered by the end of July 2020. The project is being implemented.

Take-Away and Going Forward: The VNR allowed Parliament and the Government to reassess the country's development patterns, reviewing/mapping the policy and institutional mechanisms aligned with the SDGs and building stakeholder engagement around them, identifying areas requiring more implementation support, and opening paths to partnerships at all levels, including with other countries. Parliament also planned on assessing its own readiness to oversee government commitments to SDG implementation and how it might assist in framing and implementing SDG policies.

In the future, additional focus should be paid on VNR and follow-up communication with all stakeholders, including institutions, and a national legal framework should be established to make the inclusion of VNR recommendations in state planning mandatory and binding on state institutions.

* This case study draws from 2019 interviews with UNDP, Timor-Leste.

² Both documents propose to develop and implement a Legislative Package for Justice Sector Reform, based on sustainability and effectiveness of the justice policies and on the quality of service delivery by justice institutions. Council of Coordination for Justice (2010), Justice Sector Strategic Plan for Timor-Leste 2011-2030. http://www.mj.gov.tl/files/JSSP_ENG-LISH.pdf.

NATIONAL OWNERSHIP: LINKING THE SDGS AND NATIONAL DEVELOPMENT PRIORITIES WITH PARLIAMENTARY COMMITTEES AND REPORTING STRUCTURES

In advancing national ownership, parliaments should be supported in connecting their committee systems, structures, and mandates to SDG-aligned national development priorities, with baselines and agreed-upon reporting mechanisms (to committees and then to plenary).

Parliaments may also seek to strengthen continuous reporting on the SDGs, through budget processes and with relevant ministries and departments, to achieve high quality and nationally-owned VNRs.

In so doing, parliaments need to assess how to mainstream the SDGs into their work. While there are pros and cons to each, approaches to mainstreaming include:

- Through one overarching committee or through multiple, issue-specific committees, such as those on justice and human rights, and
- Through new or existing structures (caucuses, parliamentary groups, etc.).

Case Study: SDG Integration, Parliamentary Committees, Fiji

SDG Integration, Parliamentary Committees, Fiji

Since 2016, the Fijian Parliament has undertaken a series of initiatives to promote and ensure progress on SDG implementation. Recent efforts have focused, in particular, on mainstreaming and integrating the SDGs into its work and the work of Parliamentary Committees as a means of exercising its executive oversight role in implementing the SDGs and legislative function.

Building upon a 2017 self-assessment, Fiji's Parliament, along with partners, launched a guidance note in 2019 on integrating the SDGs across the work of Parliament Committees, addressing the alignment of committee systems, structures and mandates to SDG-linked national development priorities, with baselines and agreed reporting processes on progress. Additional focus was placed on the use of SDG indicators in tracking progress towards SDG and NDP targets as Parliament and Parliamentary Committees scrutinize legislative bills, annual reports, sector performances, public expenditure and engage with the public. While SDG 16 suffers from a lack of baseline indicators as reflected in its National Development Plan,³ Committees have nonetheless been able to move forward in support of SDG 16, including working with Fiji's NHRI on addressing police brutality and drawing from Annual Reports of institutions or agencies that fall within their purview.

The Standing Committees primarily focused on SDG 16 are the Committee on Justice, Law and Human Rights Committee and the Committee on Foreign Affairs and Defense. In exercising their oversight role, these Committees review the Annual Reports of institutions or agencies that fall within their purview and then ask questions of those entities, with responses and follow-up actions carried out in return.

For example, based on its 2016, 2017 and 2018 Annual Reports, the Committee on Justice, Law and Human Rights asked Fiji's Human Rights Commissions how the Commission has sought to advance SDG 16, including in following up on complaints and allegations of police brutality and misconduct. In return, the Commission highlighted its actions and the responses of relevant institutions, whether Fiji's Police, its Corrections Service or the Judiciary, to allegations and grievances noted.

While the work of Parliament on SDG integration and the VNR are separate, parallel processes, Fiji's 2019 VNR placed significant focus on the rule of law as an enabler of development, highlighting the underlying importance of SDG 16 to the work of the Committees and to the NDP, despite a lack of data.

Take-Aways and Going Forward: Solving for Data. The lack of local baseline data and local targets in Fiji's NDP for certain SDGs should not deter Parliament from working through its committees to push government ministries and departments to set targets and goals even outside of the NDP. This would allow Parliamentary Committees to monitor ministry and department progress in achieving those SDGs and targets through annual reports tabled by those entities to parliament. In the absence of nationally-set baselines, targets and reliable data, Parliament should consider using global targets (or regional targets, if existent for a particular SDG) as reference in conducting government oversight.

* This case study draws from 2019 interviews with UNDP, Fiji.

³ Fiji's 2017-2021 NDP only has 16.2 and 16.10 as targets listed under the Key Performance Indicators (KPIs). As such, there are only a few SDG 16 baseline indicators included in Fiji's NDP. In addressing the data gap, discussions are underway on using proxy data in developing additional SDG 16-related indicators. However, having only proxy data may make it difficult to have line ministries agree on KPIs and the accompanying accountability implications.